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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/029,539	12/20/2001	James D. Shaffer	TARINFO.015CP1	4718

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EXAMINER
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HARPER, V PAUL

ART UNIT	PAPER NUMBER
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2654

DATE MAILED: 06/02/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/029,539

**Applicant(s)**

SHAFFER ET AL.

**Examiner**

V. Paul Harper

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,8-10,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-6, 8-10, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1, 3-6, 8-10, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore et al. (U.S. Patent 5,506,897), hereinafter referred to as Moore, and Kanevsky et al. (U.S. Patent 5,897,616), hereinafter referred to as Kanevsky.

Regarding **claim 1**, Moore discloses an automatic routing system that includes the following:

- capturing an identifier related to a speaker provided over a communication network, comprising automatically capturing information provided without input from the speaker (col. 1, lines 53-64; col. 5, line 66 through col. 6, line 3);
- determining a linkage key using the identifier (col. 6, line 4-12);
- selecting a subset of records from a plurality of records based on the linkage key (col. 6; lines 31-59).

But Moore does not specifically teach the following:

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- a) capturing a vocal expression of the speaker;
- b) obtaining a grammar of potential matching words based upon the subset of records;  
and
- c) determining information related to the vocal expression based on comparing the grammar with the captured vocal expression.

However, the examiner contends that these concepts were well known in the art, as taught by Kanevsky.

In the same field of endeavor, Kanevsky discloses an apparatus for speaker verification/identification/classification. Receiving a spoken utterance, a) above (col. 3, line 22-24); decoding the spoken utterance, b) and c) above (col. 3, lines 23-25, where the recognition process necessarily uses a grammar and determines a match; col. 5, lines 1-9, utilizes speaker recognition and natural language understanding technology).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moore by specifically providing the features, as taught by Kanevsky, because it is well known in the art at the time of invention for the purpose of providing secure access to services and/or facilities (Kanevsky, col. 3, lines 11-15).

Regarding **claim 3**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 2); in addition, Moore teaches "the identifier related to a speaker comprises spatial information" (col. 6, lines 4-12, spatial key).

Regarding **claim 4**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 3); in addition, Moore teaches "selecting a subset of records based on the captured identifier comprises selecting a subset of records spatially related to the captured identifier (col. 6, lines 31-37, indicating a service location).

Regarding **claim 5**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 4); in addition, Kanevsky teaches "determining the meaning of the vocal expression comprises verifying an identification of the speaker" (see rejection of claim 1; Kanevsky, col. 3, lines 11-20; speaker identification)

Regarding **claim 6**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 1). But Moore does not specifically teach "the capturing step is performed by a first server and the determining step is performed by a second server different from the first server." However, the examiner contends that this concept was well known in the art, as taught by Kanevsky.

Kanevsky further teaches that the capturing and the verification can occur on a network (Fig. 2, items 12 and 22; col. 5, line 64 through col. 6, line 26).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moore by specifically providing the features, as taught by Kanevsky, because it is well known in the art at the time of invention to distribute this process since the user is likely to be separated from the facility requiring the verification.

Regarding **claim 8**, this claim has limitations similar to claim 1 with the corresponding limitations rejected for the same reasons. In addition, Moore teaches that a given call can have a telephone number (caller ID) and a spatial key (col. 6, lines 33-38; i.e., multiple keys), but Moore does not specifically teach “determining a second linkage key based on the meaning of the vocal expression.” However, the examiner contends that this concept was well known in the art, as taught by Kanevsky.

Kanevsky further teaches that the verification process occurs with a first recognition determining a sub-list of speaker candidates followed by a final recognition permitting speaker access determined by querying the speaker (col. 4, lines 1-25).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moore by specifically providing the features, as taught by Kanevsky, because it is well known in the art at the time of invention to provide access based on the degree of verification or confidence in the identity of the individual trying for access.

Regarding **claim 9**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 8). In addition, Moore teaches “the linkage key is a spatial key that defines a geographic location” (col. 6, lines 4-12, spatial key).

Regarding **claim 10**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 8). In addition, Moore teaches “using the linkage key to obtain

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information related to the speaker" (col. 6, lines 31-45, the spatial key can be used to determine a service location).

Regarding **claim 21**, Moore discloses an automatic routing system that includes the following:

- receiving a linkage key input parameter value (LKIPV) (col. 6, lines 4-7, calling number);
- determining a linkage key using the LKIPV (col. 6, lines 4-10, convert the calling number into a spatial key);
- selecting a record from a first subset of records based upon the linkage key, wherein the record represents multiple items (col. 6, lines 31-40; table of multiple records);
- determining from the selected record that a second subset of records is required to identify a specific item from the multiple items represented by the selected record (col. 6, lines 31-46; obtain a selected client table record).

But Moore does not specifically teach:

- a) obtaining a grammar of potential matching words based on the second subset of records;
- b) prompting a speaker to provide information to identify the specific item from the second subset of records;
- c) capturing speech that represents the specific item; and comparing the captured speech with the grammar.

However, the examiner contends that this concept was well known in the art, as taught by Kanevsky.

Kanevsky teaches methods for speaker verification/identification/classification which include the step of obtaining information related to a sub-list of candidates with voice characteristics after recognition of indicia, a) above (col. 4, lines 1-8); querying the speaker, b) above (col. 4, lines 7-15); and performing further voice classification, c), above (col. 4, lines 14-20, where the recognition process necessary includes the steps of capturing and comparing).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moore by specifically providing the features, as taught by Kanevsky, because it is well known in the art at the time of invention for the purpose of providing secure access to services and/or facilities (Kanevsky, col. 3, lines 11-15).

Regarding **claim 22**, Moore in view of Kanevsky teaches everything claimed, as applied above (see claim 21). But Moore does not specifically teach “the first subset of records comprises street address information and the second subset of records comprises secondary address information related to a particular street address. However, the examiner contends that this concept was well known in the art, as taught by Kanevsky.

Kanevsky further discloses the use of indicia (including address information) (col. 3, lines 20-25, lines 50-67; col. 3, line 53 “name, address” meaning street or mailing



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address; col. 4, lines 1-25, where the questions are relevant to information stored in the database).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Smith by specifically using address information, as taught by Kanevsky, because this allows for more logical access to information related to geographical information.

#### ***Citation of Pertinent Art***

2. The following prior art made of record but not relied upon is considered pertinent to the applicant's disclosure:

- Anderson et al. (U.S. Patent 6,510,434) disclose a system for retrieving information from a database using an index of XML tags and Metafiles.
- Kaplan (U.S. Patent 5,163,087) discloses the delivery of a customer database key using automatic number identification.

#### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 3-6, 8-10, 21 and 22 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to V. Paul Harper whose telephone number is (571) 272-7605. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

05/31/2005

V. Paul Harper  
Patent Examiner  
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A handwritten signature in black ink, appearing to read "V. Paul Harper", is written over the printed name and title.